

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

|                              |   |                            |
|------------------------------|---|----------------------------|
| VIVIAN BERT, <i>et al.</i> , | ) | Case No. C-1-02-467        |
|                              | ) |                            |
| Plaintiffs,                  | ) |                            |
|                              | ) | Judge Beckwith             |
| v.                           | ) |                            |
|                              | ) |                            |
| AK STEEL CORPORATION,        | ) |                            |
|                              | ) | PLAINTIFFS' MOTION         |
| Defendant.                   | ) | FOR LEAVE TO FILE A SECOND |
|                              | ) | <u>AMENDED COMPLAINT</u>   |

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COME NOW Plaintiffs, by and through their undersigned counsel, and respectfully move this Court, pursuant to Federal Rule of Civil Procedure 15, to enter an Order granting Plaintiffs' Motion for Leave to File A Second Amended Complaint in the above-captioned case.

The grounds for this Motion are set forth in the accompanying Memorandum.

Respectfully submitted this 4th day of February 2004.

s/ Paul H. Tobias  
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CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will automatically serve CM/ECF participants Gregory P. Rogers, Esq. and Patricia Anderson Pryor, Esq. of Taft, Stettinius & Hollister LLP, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202-3957, attorneys for Defendant.

s/ Paul H. Tobias

Paul H. Tobias – 0032415